

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 371

August 5, 1995, 3:02 p.m.
Page S-11529 Temp. Record

TREASURY APPROPRIATIONS/Abortion Fringe Benefit, Medical Need

SUBJECT: Treasury, Postal Service, and General Government Appropriations Bill for fiscal year 1996 . . . H.R. 2020.
Mikulski amendment No. 2227 to the committee amendment on page 2, line 14.

ACTION: AMENDMENT REJECTED, 45-49

SYNOPSIS: As amended, H.R. 2020, the Treasury, Postal Service, and General Government Appropriations Bill for fiscal year (FY) 1996, will provide \$23.1 billion in new budget authority (BA) for the Department of the Treasury, Postal Service, Executive Office of the President, and various independent agencies. This amount is \$367 million less than the amount provided in FY 1995, \$42 million less than in the House-passed bill, and \$1.8 billion less than requested by the Clinton Administration. Details are provided below.

Appropriations will include the following:

- Office of Personnel Management, \$11.825 billion;
- Internal Revenue Service, \$7.307 billion;
- Customs Service, \$1.460 billion;
- Secret Service, \$534.5 million; and
- Bureau of Alcohol, Tobacco, and Firearms, \$378.0 million.

Key provisions include the following:

- the Office of National Drug Control Policy will not be eliminated;
- the President's tax compliance initiative will be eliminated;
- the Council of Economic Advisors will not be eliminated;
- the Clinton Administration will not be blocked from implementing the remaining portions of its \$20 billion bailout of Mexico using the Exchange Stabilization Fund (ESF), though in the future: when using ESF funds, the President will be required to certify that there will be no cost to the taxpayers from the proposed transaction and that repayment of the funds is guaranteed; and congressional approval will be required before using more than \$1 billion for more than 6 months in any 1 year for any one country

(See other side)

YEAS (45)			NAYS (49)			NOT VOTING (6)	
Republicans (9 or 18%)	Democrats (36 or 82%)		Republicans (41 or 82%)	Democrats (8 or 18%)		Republicans (4)	Democrats (2)
Campbell	Akaka	Kennedy	Abraham	Hatch	Biden	Gregg ⁻²	Bumpers ⁻²
Chafee	Baucus	Kerrey	Ashcroft	Hatfield	Breaux	Lugar ⁻²	Pryor ⁻²
Cohen	Bingaman	Kerry	Bennett	Helms	Exon	Murkowski ⁻²	
Jeffords	Boxer	Kohl	Bond	Hutchison	Ford	Stevens ⁻²	
Kassebaum	Bradley	Lautenberg	Brown	Inhofe	Heflin		
Packwood	Bryan	Leahy	Burns	Kempthorne	Johnston		
Simpson	Byrd	Levin	Coats	Kyl	Nunn		
Snowe	Conrad	Lieberman	Cochran	Lott	Reid		
Specter	Daschle	Mikulski	Coverdell	Mack			
	Dodd	Moseley-Braun	Craig	McCain			
	Dorgan	Moynihan	D'Amato	McConnell			
	Feingold	Murray	DeWine	Nickles			
	Feinstein	Pell	Dole	Pressler			
	Glenn	Robb	Domenici	Roth			
	Graham	Rockefeller	Faircloth	Santorum			
	Harkin	Sarbanes	Frist	Shelby			
	Hollings	Simon	Gorton	Smith			
	Inouye	Wellstone	Gramm	Thomas			
			Grams	Thompson			
			Grassley	Thurmond			
				Warner			
						EXPLANATION OF ABSENCE:	
						1—Official Business	
						2—Necessarily Absent	
						3—Illness	
						4—Other	
						SYMBOLS:	
						AY—Announced Yea	
						AN—Announced Nay	
						PY—Paired Yea	
						PN—Paired Nay	

Compiled and written by the staff of the Republican Policy Committee—Don Nickles, Chairman

(though the President will be allowed to waive this restriction in certain extreme circumstances, and Congress will be allowed to reject such waivers under expedited procedures);

- the number of Federal political appointees will be capped at 2,000;
- funding will be provided to the Advisory Commission on Intergovernmental Relations so that it may complete its study of Federal unfunded mandates;
- Members' pay will not be increased in fiscal year 1996;
- funding will not be provided to start a program using private law firms and debt collection agencies in Internal Revenue Service collection activities;
- tobacco vending machines will be banned in Federal buildings; and
- States will receive funding to pay for the costs of the National Voter Registration Act.

The committee amendment on page 2, line 14, as amended, would make a noncontroversial change and would bar the use of funds appropriated by this Act to pay for abortions, or the administrative expenses in connection with any health plan under the Federal Employee Health Benefit (FEHB) program which provides any benefits or coverage for abortions, unless: the life of the mother would be endangered if the fetus were carried to term; or the pregnancy was the result of an act of rape or incest (see vote No. 370; see vote No. 369 for related debate).

The Mikulski amendment would bar the use of funds appropriated by this Act to pay for abortions, or the administrative expenses in connection with any health plan under the Federal Employee Health Benefit (FEHB) program which provides any benefits or coverage for abortions, unless: the life of the mother would be endangered if the fetus were carried to term; the pregnancy was the result of an act of rape or incest; or the abortion was "determined to be medically necessary."

NOTE: Following vote, the bill, as amended, was adopted by voice vote.

Those favoring the amendment contended:

What is "medically necessary?" When a doctor decides using his or her trained professional judgment, in consultation with a patient, that an abortion is necessary for health reasons, then that doctor should perform that abortion. There are medical conditions which can increase risk to a woman's health during pregnancy. Cancer, diabetes, high blood pressure, kidney disease, cardiovascular disease, and other conditions are known to increase a woman's health risk. When these conditions are present, and threaten a woman's health, a doctor should be able to perform an abortion. Senators (with one exception) are not medical doctors. It is wrong for us to substitute our judgment, and say that we will not allow Federal health insurance policies pay for such abortions. Therefore, we have offered the Mikulski amendment. This amendment would allow insurance policies to pay for medically necessary abortions. We do not intend for this amendment to cover abortions for social or economic reasons--we are concerned only with health. We urge our colleagues to accept this amendment.

Those opposing the amendment contended:

The term "medically necessary" is unacceptably vague. It has been used by pro-choice advocates to describe any abortion that any woman wants. For example, in testimony against the implementation of the Hyde amendment language the Senate has just agreed to (see vote No. 370), Dr. Jane Hodgson said, "In my medical judgment, every one that is not wanted by the patient, I feel there is a medical indication to abort a pregnancy where it is not wanted * * * I think they are all medically necessary." Under this amendment, if a woman wanted to have an abortion for economic reasons, or because it was her chosen method of birth control, or because she was unhappy that her unborn baby was a girl, an abortionist could declare the abortion medically necessary because the woman would suffer stress if she did not get her way. Based on the abortionist's assertion of medical necessity, the American taxpayers would then be forced to pay most of the costs of that woman's abortion. The American people should not be forced to pay for abortion on demand.

An abortion is not simply another medical procedure, and it certainly is not a settled issue just because the Supreme Court 20 years ago overrode the laws in 50 States. Most Americans are opposed to abortion in most circumstances; most are very opposed to using public funds to pay for abortion on demand. Under current law, an abortion can be procured in America at any time for any reason right up until the moment of birth. Under current law, the Federal Government, with taxpayer funds, will pay for those abortions as a fringe benefit for Federal workers. The Nickles amendment, which we just agreed to, would not stop Federal workers from procuring abortions at any time for any reason, but it would stop making taxpayers pay for them as a fringe benefit. The Mikulski amendment, with its vague language, would undo the previous vote. We therefore urge the rejection of the Mikulski amendment.